April 11, 2025

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Re: Wireless Microphone Spectrum Alliance ("WMSA") Filing, GN Docket No. 25-133; IN RE: DELETE, DELETE, DELETE

Dear Ms. Dortch,

Pursuant to the above captioned Public Notice, the undersigned co-signatories and members of the Wireless Microphone Spectrum Alliance ("WMSA") hereby submit this filing in response to the Commission's invitation to comment on rules, regulations, or guidance documents, for the purpose of alleviating unnecessary regulatory burdens.

WMSA is a proactive, unincorporated, not-for-profit coalition, including end users, live production service providers, and manufacturers, committed to ensuring wireless microphones' access to RF spectrum. By securing available RF spectrum for wireless microphones, we aim to maintain the United States' status as a global leader in content and event production. We also support a large and diverse industry, including but not limited to, concerts, events, corporate presentations, houses of worship, sports, film, television, music, and conferences, all of which are crucial in driving trends and innovation in content creation and related activity. These industries not only enrich our cultural landscape but also contribute considerably to the economy by generating significant revenue, creating jobs, and fostering innovation.

The alliance has been formed as the U.S. prepares to co-host the 2026 FIFA World Cup and host the 2028 LA Olympics, events which will showcase our nation to a global audience of billions. July 4th next year will also mark the 250th anniversary of American Independence, with a planned 'grand celebration worthy of this momentous occasion.'[1] The success of these events will rely on wireless microphones' use of increasingly scarce RF spectrum and the skilled professionals whose livelihoods depend on planning and producing flawless wireless audio performance in challenging spectrum environments time after time. RF planning for these events is already happening alongside members of the Commission and other Federal and State agencies. With that context in mind, simplification of some of the rules and regulations governing wireless audio device deployment would provide timely and meaningful improvements for all involved.

Our submission focusses on two areas identified within the Public Notice. The first is where, based on the significant collective experience of our members, the implementation of some rules are widely held to be disproportionately burdensome for both the Commission and users. The second is where we believe that standard industry working practices have

[1] Presidential Order of January 29th, 2025 https://www.whitehouse.gov/presidential-actions/2025/01/celebrating-americas-250th-birthday/

diminished the need for, or benefits of, a rule to the point that it is effectively rendered unnecessary. We believe our suggestions to be proportionate, easing the burden on industry and the Commission, and simultaneously optimising efficient use of spectrum whilst not altering the risk of interference.

RF spectrum is a scarce and valuable national asset. WMSA members understand this more than most and understand that it needs to be used as efficiently as possible. Furthermore, wireless microphones are already extremely efficient users of RF spectrum, using only the spectrum that is needed at the location and for the duration it is required for an event. Wireless audio at events has very high quality of service requirements. Wireless microphones operate at comparatively low power and their deployment must be meticulously coordinated to avoid interference to other wireless microphone users and other spectrum users. In live production especially, audiences demand flawless performance and there are no opportunities for "second takes".

The eligibility criteria for a Part 74 License are arbitrary and unnecessarily restrictive

The Commission authorises transmission by wireless microphones on an unlicensed basis (in accordance with Part 15 rules[2]), or on a licensed basis (in accordance with Part 74 rules for Low Power Auxiliary Stations (LPAS)[3]).

In general terms, a license permits use of higher powers (up to 250 mW conducted power) and access to a greater range of frequency bands than afforded by the unlicensed authorization route. However, applicants for a Part 74 license must satisfy certain eligibility criteria relating to the type of user[4] and the number of devices which will be used at an event.[5]

The threshold for the issue of a Part 74 license is currently 50 LPAS devices. As part of the application process, applicants are required to certify that they, 'routinely use 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions.' This requirement originated in the Commission's 2012 Public Notice.[6] The Commission's intention was to 'balance the needs of potential new classes of wireless microphone licensees with those of other users in the TV bands and expressed particular concern that any "broad expansion" of eligibility could undercut the balance by significantly reducing the amount of spectrum available for other uses, such as by white space devices.'

While no doubt well-intentioned, the intervening years have not seen anything approaching the growth in white space device numbers the Commission originally anticipated. Wireless microphone use, on the other hand, has shown steady growth, and the U.S. has consolidated its position as the global leader in wireless audio content production, generating billions of dollars in federal and state taxes, providing thousands of skilled jobs and supporting a several hundred billion dollar Media and Entertainment industry.[7] In the same period, wireless mics have also lost access to significant amounts of spectrum through successive auctions of

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[2] 47 C.F.R. §§ 15.236
[3] 47 C.F.R. §§ 74, Subpart H
[4] §§ 74.832(a)(1) through (8), as defined by §§ 74.801
[5] §§ 74.832(e)
[6] FCC Public Notice of October 5, 2012 (DA 12-1570) https://docs.fcc.gov/public/attachments/DA-12-1570A1.pdf (p.3, 'Expansion of Part 74 eligibility)
[7] Source: https://www.zippia.com/advice/media-and-entertainment-industry-statistics/

spectrum to mobile cellular operators. Consequently, the 50-device Part 74 threshold now looks inappropriate and WMSA does not believe spectrum needs for wireless microphones should remain hostage to incredibly optimistic and unfulfilled forecasts of white space device deployment.

In the experience of WMSA members, which include some of the world's leading RF event planners, the threshold is unnecessarily arbitrary and does not reflect the reality and complexity of RF event planning. The threshold is hard to prove, check, and enforce. It is frequently the case that wireless microphones are added or removed from an event production plan right up to the event itself and is commonly beyond the control of the applicant, such as the addition of performance dates to meet ticket demand or staging and program changes.

WMSA believes that the threshold should be removed altogether. It offers little discernible value to the efficient management of spectrum. Other eligibility criteria for a Part 74 license provide assurance that it is open only to professional applicants responsible for ensuring that the RF planning is of a high enough standard to avoid interference and to deliver the highest quality audio performance. In most cases they are given considerable control over an event venue or location, such that they may exercise control over the spectrum environment within the event venue and immediate environs. These applicants are therefore suitably qualified to determine whether a Part 74 license or Part 15 route is the most suitable for the specific wireless audio requirements of each event, irrespective of the number of LPAS devices in operation.

WMSA also believes that there is considerable room to streamline the licensing process itself and make it more accessible. The level of complexity inherent in the application form for a Part 74 license is disproportionately burdensome for the authorisation of comparably low-power wireless microphones operated by experienced professional users.

The Special Temporary Authorisation ("STA") regime is overly burdensome on applicants and the Commission, and should reflect industry working practices

The use of STAs to fulfil the spectrum demand of events has become commonplace due to the scarcity of spectrum for wireless microphones following successive auctions to cellular mobile operators. A process intended only for exceptional circumstances is now relied upon routinely to accommodate spectrum demand for the wireless microphones. STAs are not a viable long-term solution, generating an administrative burden for applicants and the Commission. Nor are they necessary in most cases.

Part 74 rules already stipulate that LPAS licensees operating in the same area 'shall endeavor to select frequencies or schedule operation in such manner as to avoid mutual interference.' The rules also explicitly set out a hierarchy of use in which LPAS devices are secondary to other spectrum users, and must therefore not cause interference to those users, such as TV broadcasting and Federal operations.[8]

In adherence to those rules, which are universally accepted, it has long been standard industry working practice to monitor the spectrum environment before the deployment of wireless

[8] §§ 74.803(a) through (d)

microphones. This ensures that interference to higher priority users is avoided and avoids mutual interference between wireless microphone users.

Applications for STAs for use of wireless microphones in spectrum bands not assigned for LPAS (outside of those listed in §§ 74.802) 'may be requested upon a showing that operation thereon will not cause interference to established stations.'[9] The STA application therefore rests on an applicant providing proof in advance that they will not cause interference. The inference is that the applicant has already performed sufficient due diligence to mitigate any potential interference risk, such as performing spectrum scans and accounting for available information on the deployment of the spectrum user to be protected, much as they already do in adherence to the Part 74 requirements. In those circumstances, the additional interference mitigation offered by the STA is likely to be minimal. We therefore ask the Commission to consider streamlining the process to replace the "shall obtain consent" with a more proportionate "shall notify" obligation for applicants.

WMSA also calls for the requirement for an STA to apply only within a 15-kilometre radius of the service to be protected and for the Commission to permit low power indoor use of those bands currently unconditionally prohibited (e.g., 608-614 MHz, 1240-1300 MHz bands). These changes would be commensurate with the lower transmit power and smaller propagation "footprint" of wireless microphones and recognises the far lower interference risk profile of indoor deployment owing to building signal attenuation.

WMSA respectfully urges the Commission to adopt the above specific "delete" provisions in support of improving the efficiency of access to the spectrum resource by wireless microphones.

Please do not hesitate to contact the undersigned if you have any questions.

Sincerely,

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[9] §§ 74.833(d). It also includes an additional condition that prohibits operation on frequencies employed for the safety of life and property.

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